

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LEEVEVERNE JAMES	:	CIVIL ACTION
	:	
v.	:	
	:	
MICHAEL CLARK, Superintendent, State Correctional Institution at Albion, DISTRICT ATTORNEY OF THE COUNTY OF PHILADELPHIA and ATTORNEY GENERAL OF THE STATE OF PENNSYLVANIA	:	NO. 20-3805

ORDER

NOW, this 2nd day of March, 2023, upon consideration of the Petition for Writ of *Habeas Corpus* Under 28 U.S.C. § 2254 (Doc. No. 1), the response to the petition, the Report and Recommendation filed by United States Magistrate Judge Carol Sandra Moore Wells (Doc. No. 23), and the Petitioner's Objections to Report and Recommendation, and after a thorough and independent review of the record, it is **ORDERED** as follows:

1. The petitioner's objections are **OVERRULED**;
2. The Report and Recommendation of Magistrate Judge Carol Sandra Moore Wells is **APPROVED** and **ADOPTED**;
3. The Petition for Writ of *Habeas Corpus* is **DISMISSED WITHOUT PREJUDICE**; and,
4. No certificate of appealability will issue because the petitioner has not

made a substantial showing of the denial of a constitutional right under 28 U.S.C. § 2253(c)(2).


TIMOTHY J. SAVAGE, J.